

1
2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Juan David Bruce-Pino,

10 Petitioner,

11 v.

12 FCI Safford Low Warden,

13 Respondent.
14

No. CV-24-00008-TUC-SHR (MAA)

Order Denying § 2241 Habeas Petition

15 On April 26, 2024, Magistrate Judge Michael A. Ambri issued a Report and
16 Recommendation (“R&R”), recommending the Court deny Petitioner’s Petition for Writ
17 of Habeas Corpus. (Doc. 10 at 5.) The Magistrate Judge informed the parties they had
18 fourteen days to file objections to the R&R and an additional fourteen days to respond.
19 (*Id.*) No objections have been filed and neither party has requested additional time to do
20 so.

21 If neither party objects to a magistrate judge’s report and recommendation, the
22 District Court is not required to review the magistrate judge’s decision under any specified
23 standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-*
24 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (district court only needs to review
25 magistrate judge’s findings and recommendations *de novo* if objection is made). However,
26 the statute for review of a magistrate judge’s recommendation “does not preclude further
27 review by the district judge, *sua sponte* or at the request of a party, under a *de novo* or any
28 other standard.” *Thomas*, 474 U.S. at 154.

1 In this case, the deadline for filing objections has passed. As noted, no objections
2 have been filed, and neither party has requested additional time to do so. Consequently,
3 the Court may adopt the R&R on that basis alone. *See Schmidt v. Johnstone*, 263 F. Supp.
4 2d 1219, 1226 (D. Ariz. 2003) (district court declined to review the magistrate judge's
5 report because no objections were filed). Nonetheless, the Court has reviewed Petitioner's
6 Petition for Writ of Habeas Corpus (Doc. 1), the Respondent's Return and Answer to
7 Petitioner's Petition for Writ of Habeas Corpus (Doc. 9), and Judge Ambri's R&R. (Doc.
8 10.) The Court finds the R&R well-reasoned and agrees with Judge Ambri's conclusions.
9 Accordingly,

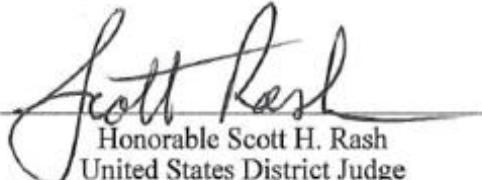
10 **IT IS ORDERED** Magistrate Judge Michael A. Ambri's Report and
11 Recommendation is **ACCEPTED**. (Doc. 10.)

12 **IT IS FURTHER ORDERED** Petitioner's Petition for Writ of Habeas Corpus
13 (Doc. 1) is **DENIED**.

14 **IT IS FURTHER ORDERED** the Clerk of the Court shall enter judgment
15 accordingly and close the file in this case.

16 Dated this 23rd day of May, 2024.

17
18
19
20
21
22
23
24
25
26
27
28



Honorable Scott H. Rash
United States District Judge